

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SUBRINA POUPAK SEHAT,

3:14-CV-01433-PK

Plaintiff,

ORDER

v.

PROGRESSIVE UNIVERSAL INSURANCE,
COMPANY OF ILLINOIS, et al.,

Defendants.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#179) on April 15, 2016, in which he recommends this Court:

- (1) Grant WCSO's Motion (#135-3) to Dismiss for Insufficiency of Process and dismiss with prejudice Plaintiff's claims against Deputies O'Reilly, Wiley, Mock, and John and Jane Does;
- (2) Grant Defendant Washington County Sheriff's

Department's (WCSO) Motion (#135-1) to Dismiss and dismiss without prejudice Plaintiff's claims against the remaining Defendants;

- (3) Deny as moot WCSO's Motion (#135-2) to Strike;
- (4) Strike all other pending Motions in this matter as moot with leave to refile after Plaintiff files her Third Amended Complaint; and
- (5) Grant Plaintiff leave to file a Third Amended Complaint no later than 45 days after entry of an Order adopting the Findings and Recommendation.

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#179). Accordingly, the Court

- (1) **GRANTS** WCSO's Motion (#135-3) to Dismiss for Insufficiency of Process **DISMISSES with prejudice** Plaintiff's claims against Deputies O'Reilly, Wiley,

Mock, and John and Jane Does;

(2) **GRANTS** WSCO's Motion (#135-1) to Dismiss and **DISMISSES** **without prejudice** Plaintiff's claims against the remaining Defendants;

(3) **DENIES as moot** WCSO's Motion (#135-2) to Strike;

(4) **STRIKES** all other pending Motions in this matter with leave to refile after Plaintiff files her Third Amended Complaint; and

(5) **GRANTS** Plaintiff leave to file a Third Amended Complaint consistent with Magistrate Judge Papak's Findings and Recommendation (#179) and this Order **no later than June 30, 2016.**

IT IS SO ORDERED.

DATED this 16th day of May, 2016.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge